

E. BRYAN WILSON
Acting United States Attorney

KAREN VANDERGAW
A. JAMES KLUGMAN
CHRISTOPHER D. SCHROEDER
Assistant U.S. Attorneys
Federal Building & U.S. Courthouse
222 West Seventh Avenue, #9, Room 253
Anchorage, Alaska 99513-7567
Phone: (907) 271-5071
Fax: (907) 271-1500
Email: karen.vandergaw@usdoj.gov
james.klugman@usdoj.gov
christopher.schroeder@usdoj.gov

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 3:16-cr-00086-SLG
)	
JOHN PEARL SMITH II,)	
)	
Defendant.)	
_____)	

PROPOSED VERDICT FORMS

The United States hereby respectfully submits the following proposed verdict forms
for this Court's consideration in this case.

United States v. John Pearl Smith II

Case No. 3:16-cr-00086-SLG

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UNITED STATES OF AMERICA,
Plaintiff,
vs.
JOHN PEARL SMITH II,
Defendant.

Dated this ____ day of November 2021.

Note: If you find the defendant not guilty of this count (Count 1), do not render verdicts as to Counts 3, 4, 5 and 6. Only if you find the defendant guilty of this count, proceed to render verdicts as to Counts 3, 4, 5 and 6.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
Plaintiff,)
)
vs.) **VERDICT 2**
)
JOHN PEARL SMITH II,)
)
Defendant.)
_____)

We, the Jury, duly empaneled to try the above-entitled matter, do find the defendant, JOHN PEARL SMITH II, _____ (Not Guilty/Guilty) of the crime of Attempted Possession of a Controlled Substance with Intent to Distribute in violation of Sections 846 and 841(b)(1)(C) of Title 21 of the United States Code, as charged in Count 2 of the Indictment.

Dated this ____ day of November 2021.

JURY FOREPERSON

Note: If you find the defendant not guilty of this count (Count 2), do not render verdicts as to Counts 7 and 8. Only if you find the defendant guilty of this count, proceed to render verdicts as to Counts 7 and 8.

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
)
 Plaintiff,)
)
)
 vs.) **VERDICT 3A**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN PEARL SMITH II,

Defendant.

)
) No. 3:16-cr-00086-SLG
)
)
)
) **VERDICT 3B**
)
)
)
)
)
)

JURY FOREPERSON

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
)
 Plaintiff,)
)
)
 vs.) **VERDICT 4**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)
)

We, the Jury, duly empaneled to try the above-entitled matter, do find the defendant, JOHN PEARL SMITH II, _____ (Not Guilty/Guilty) of the crime of Using a Firearm to Commit Felony-Murder of Ben Gross During and in Relation to the Attempted Robbery of Ben Gross in violation of Sections 924(c)(1) and 924(j)(1) of Title 18 of the United States Code, as charged in Count 4 of the Indictment.

JURY FOREPERSON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN PEARL SMITH II,

Defendant.

)
) No. 3:16-cr-00086-SLG
)
)
) **VERDICT 5A**
)
)
)
)
)
)

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
Plaintiff,)
)
vs.) **VERDICT 5B**
)
JOHN PEARL SMITH II,)
)
Defendant.)
_____)

Note: If you found the defendant not guilty of Count 5, do not render a verdict on this question. Complete this verdict only if you found the defendant guilty of Count 5.

We, the Jury, having found the defendant, JOHN PEARL SMITH II, GUILTY of
Count 5 of the Indictment, further find (check all that apply):

☐ the defendant killed Crystal Denardi with malice aforethought

☐ the killing was premeditated.

Dated this ____ day of November 2021.

JURY FOREPERSON

UNITED STATES OF AMERICA,
Plaintiff,
vs.
JOHN PEARL SMITH II,
Defendant.

We, the Jury, duly empaneled to try the above-entitled matter, do find the defendant, JOHN PEARL SMITH II, _____ (Not Guilty/Guilty) of the crime of Using a Firearm to Commit Felony-Murder of Crystal Denardi During and in Relation to the Attempted Robbery of Ben Gross in violation of Sections 924(c)(1) and 924(j)(1) of Title 18 of the United States Code, as charged in Count 6 of the Indictment.

JURY FOREPERSON

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	
)	No. 3:16-cr-00086-SLG
Plaintiff,)	
)	
vs.)	<u>VERDICT 7A</u>
)	
JOHN PEARL SMITH II,)	
)	
Defendant.)	
_____)	

Note: If you found the defendant not guilty of Count 2, do not render a verdict as to Count 7. Complete this verdict only if you found the defendant guilty of Count 2.

We, the Jury, duly empaneled to try the above-entitled matter, do find the defendant, JOHN PEARL SMITH II, _____ (Not Guilty/Guilty) of the crime of Using a Firearm to Commit Murder of Ben Gross During and in Relation to a Drug Trafficking Crime in violation of Sections 924(c)(1) and 924(j)(1) of Title 18 of the United States Code, as charged in Count 7 of the Indictment.

Dated this ____ day of November 2021.

JURY FOREPERSON

[Note: If you find the defendant not guilty of Count 7, skip the next page. If you find the defendant guilty of Count 7, proceed to consider the additional question on the next page.]

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
)
 Plaintiff,)
)
)
 vs.) **VERDICT 7B**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)
)

JURY FOREPERSON

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
)
 Plaintiff,)
)
)
 vs.) **VERDICT 8A**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)
)

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UNITED STATES OF AMERICA,)
)
) No. 3:16-cr-00086-SLG
)
) Plaintiff,)
)
)
)
) vs.) **VERDICT 8B**
)
)
)
) JOHN PEARL SMITH II,)
)
)
)
) Defendant.)
)
)

JURY FOREPERSON

UNITED STATES OF AMERICA,
Plaintiff,
vs.
JOHN PEARL SMITH II,
Defendant.

Dated this ____ day of November 2021.

Note: If you find the defendant not guilty of this count (Count 9), do not render a verdict as to Count 11. Only if you find the defendant guilty of this count, proceed to render a verdict as to Count 11.

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
)
 Plaintiff,)
)
)
 vs.) **VERDICT 10**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)
)

Dated this _____ day of November 2021.

Note: If you find the defendant not guilty of this count (Count 10), do not render a verdict as to Count 12. Only if you find the defendant guilty of this count, proceed to render a verdict as to Count 12.

UNITED STATES OF AMERICA,)
)
 Plaintiff,) No. 3:16-cr-00086-SLG
)
)
 vs.) **VERDICT 11A**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)

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UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
)
 Plaintiff,)
)
)
 vs.) **VERDICT 11B**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)
)

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	
)	No. 3:16-cr-00086-SLG
Plaintiff,)	
)	
vs.)	<u>VERDICT 12A</u>
)	
JOHN PEARL SMITH II,)	
)	
Defendant.)	
_____)	

Note: If you found the defendant not guilty of Count 10, do not render a verdict as to Count 12. Complete this verdict only if you found the defendant guilty of Count 10.

We, the Jury, duly empaneled to try the above-entitled matter, do find the defendant, JOHN PEARL SMITH II, _____ (Not Guilty/Guilty) of the crime of Using, Carrying, or Brandishing a Firearm During and in Relation to a Drug Trafficking Crime in violation of Sections 924(c)(1) and 924(j)(1) of Title 18 of the United States Code, as charged in Count 12 of the Indictment.

Dated this ____ day of November 2021.

JURY FOREPERSON

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
)
 Plaintiff,)
)
)
 vs.) **VERDICT 11B**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)
)

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
Plaintiff,)
)
vs.) **VERDICT 13**
)
JOHN PEARL SMITH II,)
)
Defendant.)
_____)

We, the Jury, duly empaneled to try the above-entitled matter, do find the defendant, JOHN PEARL SMITH II, _____ (Not Guilty/Guilty) of the crime of Attempted Robbery of M.B. in violation of Section 1951(a) of Title 18 of the United States Code, as charged in Count 13 of the Indictment.

Dated this ____ day of November 2021.

JURY FOREPERSON

Note: If you find the defendant not guilty of this count (Count 13), do not render a verdict as to Count 15. Only if you find the defendant guilty of this count, proceed to render a verdict as to Count 15.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
Plaintiff,)
)
vs.) **VERDICT 14**
)
JOHN PEARL SMITH II,)
)
Defendant.)
_____)

We, the Jury, duly empaneled to try the above-entitled matter, do find the defendant, JOHN PEARL SMITH II, _____ (Not Guilty/Guilty) of the crime of Attempted Possession of a Controlled Substance with Intent to Distribute in violation of Sections 846 and 841(b)(1)(C) of Title 21 of the United States Code, as charged in Count 14 of the Indictment.

Dated this ____ day of November 2021.

JURY FOREPERSON

Note: If you find the defendant not guilty of this count (Count 14), do not render a verdict as to Count 16. Only if you find the defendant guilty of this count, proceed to render a verdict as to Count 16.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	
)	No. 3:16-cr-00086-SLG
Plaintiff,)	
)	
vs.)	<u>VERDICT 15A</u>
)	
JOHN PEARL SMITH II,)	
)	
Defendant.)	
_____)	

Note: If you found the defendant not guilty of Count 13, do not render a verdict as to Count 15. Complete this verdict only if you found the defendant guilty of Count 13.

We, the Jury, duly empaneled to try the above-entitled matter, do find the defendant, JOHN PEARL SMITH II, _____ (Not Guilty/Guilty) of the crime of Using, Carrying, or Brandishing a Firearm During and in Relation to the Attempted Robbery of M.B. in violation of Sections 924(c)(1) and 924(j)(1) of Title 18 of the United States Code, as charged in Count 15 of the Indictment.

Dated this ____ day of November 2021.

JURY FOREPERSON

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	
)	No. 3:16-cr-00086-SLG
Plaintiff,)	
)	
vs.)	<u>VERDICT 15B</u>
)	
JOHN PEARL SMITH II,)	
)	
Defendant.)	
_____)	

Note: If you found the defendant not guilty of Count 15, do not render a verdict on this question. Complete this verdict only if you found the defendant guilty of Count 15.

We, the Jury, having found the defendant, JOHN PEARL SMITH II, GUILTY of Count 15 of the Indictment, further find that the defendant performed the following actions with a firearm regarding that offense (check all that apply):

- ☐ possessed in furtherance
- ☐ used during and in relation to
- ☐ carried during and in relation to
- ☐ brandished.

Dated this ____ day of November 2021.

JURY FOREPERSON

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
)
 Plaintiff,)
)
)
 vs.) **VERDICT 16A**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)
)

We, the Jury, duly empaneled to try the above-entitled matter, do find the defendant, JOHN PEARL SMITH II, _____ (Not Guilty/Guilty) of the crime of Using, Carrying, or Brandishing a Firearm During and in Relation to a Drug Trafficking Crime in violation of Sections 924(c)(1) and 924(j)(1) of Title 18 of the United States Code, as charged in Count 16 of the Indictment.

JURY FOREPERSON

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
)
 Plaintiff,)
)
)
 vs.) **VERDICT 16B**
)
)
 JOHN PEARL SMITH II,)
)
)
 Defendant.)
)
)

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RESPECTFULLY SUBMITTED this 27th day of September 2021, at Anchorage,
Alaska.

E. BRYAN WILSON
Acting United States Attorney

s/ Christopher D. Schroeder
CHRISTOPHER D. SCHROEDER
Assistant U.S. Attorney
United States of America

CERTIFICATE OF SERVICE

I hereby certify that on September 27,
2021, a copy of the foregoing was
served electronically via the CM/ECF
filing system on the following:

Mark A. Larrañaga
Suzanne Lee Elliott
Theresa M. Duncan

s/ Christopher D. Schroeder
Office of the U.S. Attorney